

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

IN RE: ZETIA (EZETIMIBE) ANTITRUST
LITIGATION

MDL No. 2836
No. 2:18-md-2836-RBS-DEM

This Document Relates To: All End-Payor
Actions

**END-PAYOR PLAINTIFFS' MOTION FOR AN AWARD OF
ATTORNEYS' FEES, REIMBURSEMENT OF EXPENSES, AND INCENTIVE
AWARDS FOR THE CLASS REPRESENTATIVE PLAINTIFFS**

Pursuant to Rule 23(h) of the Federal Rules of Civil Procedure, End-Payor Plaintiffs' Counsel respectfully moves this Court for entry of an Order:

1. Awarding End-Payor Plaintiffs' Counsel a fee of one-third of the \$70,000,000.00 settlement amount, totaling \$23,333,333.33, plus interest on that amount;
2. Approving End-Payor Plaintiffs' request for reimbursement of their reasonable litigation and administrative expenses, totaling \$3,941,215.35; and
3. Awarding the Class Representative Plaintiffs a total of \$300,000 in incentive awards in recognition of their participation in this case and the time and effort they expended on behalf of the End-Payor Class.

In support of this motion, the End-Payor Plaintiffs rely upon the accompanying Memorandum of Law, the Joint Declaration of Marvin A. Miller and Michael M. Buchman dated September 12, 2023, the Declaration of Michael M. Buchman dated September 12, 2023, and the respective exhibits thereto. Paragraph 15 of the [Proposed] Final Order and Judgment of Dismissal, annexed as Exhibit A to the End-Payor Plaintiffs' Unopposed Motion for Final Approval of Settlement, Entry of Final Judgment and Order of Dismissal, is respectfully submitted as a [Proposed] Order in connection with this motion.

Dated: September 13, 2023

Respectfully submitted,

/s/ James A. Cales III

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CERTIFICATE OF SERVICE

I hereby certify that on September 13, 2023, a true and correct copy of the foregoing document was served on all counsel of record by electronically filing the document with the Court's CM/ECF system.

/s/ James A. Cales III
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